



Chief Procurement Office Capital Development Board

Fredrick Hahn, Chief Procurement Officer

May 2, 2012

FILE COPY

Ms. Paula Painter
Auditor General's Office
Hes Park Plaza, 740 East Ash
Springfield, Illinois 62703-3134

RE: CDB Project No.: 125-110-005
Contract No.: 12-EM07-81

Dear Ms. Painter:

This letter updates the emergency affidavit originally filed with the Auditor General's Office. The work is now completely paid out on the above named project/contract. The final cost for the emergency contract associated with this project is \$75,980.00.

I am forwarding this information in accordance with the Illinois Procurement Code, which requires the final cost of an emergency contract be reported to the Auditor General's Office only when there is a change to the original contract amount.

If you should have any questions regarding this matter, please do not hesitate to call me at (217) 558-2192.

Sincerely,

Nicki Patterson
Deputy Chief Procurement Officer, Construction

cc: Chris Miles, CDB

401 South Spring Street
316 Stratton Office Building
Springfield, Illinois 62706
(217) 558-2156
(217) 558-5407 Facsimile

EMERGENCY PURCHASE AFFIDAVIT

Reference # 2022550

Chief Procurement Officer (CPO) making a procurement under Illinois Procurement Code (30 ILCS 500/20-30) shall file affidavit with Procurement Policy Board and Auditor General within 10 days.

Agency: Capital Development Board Division: _____

Address: 401 South Spring Street

City: Springfield State: IL Zip: 62706

Vendor: Elens & Maichin Roofing & Sheet Metal, Inc.

Address: 1621 Manhattan Road - P.O. Box 877

City: Joliet State: IL Zip: 60434

State of Illinois)
: SS

County of Livingston

I, Gus Behnke being duly sworn, solemnly swear and affirm that I am Chief Fiscal Officer.

I have authorized the emergency procurement in accordance with standards as established by law and rule in fulfillment of the emergency purchase affidavit provisions of Illinois Procurement Code [30 ILCS 500/20-30] as follows.

- ☒ Involving threat to public health or public safety.
☒ Immediate expenditure is necessary for repairs to State property to protect against further loss of or damage
☐ To prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues.
☐ To insure integrity of State records
☐ Quick purchase as provided by Section 20-30 (d) of the Illinois Procurement Code

The conditions and circumstances requiring this emergency purchase, including reason for selection of the particular contractor are:

According to the Department of Juvenile Justice (DJJ), the roof on the Owens/Robinson Cottage is leaking and in need of immediate emergency replacement. The leaks run into the smoke detectors causing the building to be without fire protection during weather events. They currently have the smoke detectors detached and hanging down from the ceiling in order to help prevent them from filling with water. DJJ is also in the process of implementing interior changes for suicide prevention which are in jeopardy of being damaged by the leaks.

(Continue on next page if necessary)

Expected Start Date: 09/14/11 Expected End Date: 11/01/11

Extension of previous emergency purchase: ☐ Yes or ☒ No

Term of emergency procurement shall not exceed 90 days. Contract may be extended beyond 90 days if CPO determines additional time is necessary; however, prior to execution of extension, CPO must hold a public hearing and provide written description.

Amount of this expenditure is: \$ _____ ☐ Actual or \$ 76,000 ☒ *Estimated

**When only an estimate of cost is available, the actual cost shall be reported immediately after it is determined.*

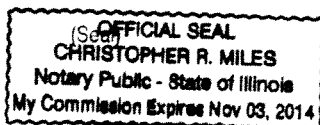
I am duly authorized to make this affidavit. I know and understand the contents of this affidavit and all statements herein are true and correct. This affidavit is made pursuant to and in fulfillment of the requirements of Illinois Procurement Code [30 ILCS 500/20-30].

G208 Behrman
Signature of Affiant

Subscribed and sworn before me this 14 day of September 20 11

Christopher B Miles
Notary Public

My Commission expires: 11/3/14



Section 20-30. Emergency purchase

(a) Conditions for use. In accordance with standards set by rule, a purchasing agency may make emergency procurements without competitive sealed bidding or prior notice when there exists a threat to public health or public safety, or when immediate expenditure is necessary for repairs to State property in order to protect against further loss of or damage to State property, to prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues, or to ensure the integrity of State records; provided, however, that the term of the term of the emergency purchase shall be limited to the time reasonably needed for a competitive procurement, not to exceed 90 days. A contract may be extended beyond 90 days if the chief procurement officer determines additional time is necessary and that the contract scope and duration are limited to the emergency. Prior to the execution of the extension, the chief procurement officer must hold a public hearing and provide written justification for all emergency contracts. Members of the public may present testimony. Emergency procurements shall be made with as much competition as is practicable under the circumstances. A written description of the basis for the emergency and reasons for the selection of the particular contractor shall be included in the contract file.

(b) Notice. Notice of all emergency procurements shall be provided to the Procurement Policy Board and published in the online electronic Bulletin no later than 3 business days after the contract is awarded. Notice of intent to extend an emergency contract shall be provided to the Procurement Policy Board and published in the online electronic Bulletin at least 14 days before the public hearing. Notice shall include at least a description of the need for the emergency purchase, the contractor, and if applicable, the date, time and location of the public hearing. A copy of this notice and all documents provided at the hearing shall be included in the subsequent Procurement Bulletin. Before the next appropriate volume of the Illinois Procurement Bulletin, the purchasing agency shall publish in the Illinois Procurement Bulletin a copy of each written description and reasons and the total cost of each emergency procurement made during the previous month. When only an estimate of the total cost is known at the time of publication, the estimate shall be identified as an estimate and published. When the actual total cost is determined, it shall also be published in like manner before the 10th day of the next succeeding month.

(c) Affidavits. A chief procurement officer making a procurement under this Section shall file affidavits with the Procurement Policy Board and the Auditor General within 10 days after the procurement setting forth the amount expended, the name of the contractor involved, and the conditions and circumstances requiring the emergency procurement. When only an estimate of the cost is available within 10 days after the procurement, the actual cost shall be reported immediately after it is determined. At the end of each fiscal quarter, the Auditor General shall file with the Legislative Audit Commission and the Governor a complete listing of all emergency procurements reported during that fiscal quarter. The Legislative Audit Commission shall review the emergency procurements so reported and, in its annual reports, advise the General Assembly of procurements that appear to constitute an abuse of this Section.

(d) Quick purchases. The chief procurement officer may promulgate rules extending the circumstances by which a purchasing agency may make purchases under this Section, including but not limited to the procurement of items available at a discount for a limited period of time. (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

For continuation if necessary:

Reference # _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

MEMORANDUM

TO: Capital Programs
Capital Development Board

FROM: Illinois Department of Corrections, Capital Programs Unit
(Name of Agency)

DATE: 14-Sep-11

SUBJECT: Emergency Purchase Request

The Department of Juvenile Justice is requesting that the Capital Development Board take action to procure, on an emergency basis, one or more contracts to address an emergency need of the State.

This situation meets the following condition(s) for use as set forth in 30 ILCS 500/20-30:

- ☒ There exists a threat to public health or public safety.
- ☒ Immediate expenditure is necessary for repairs to State property in order to protect against further loss or damage.
- ☒ It is necessary to prevent or minimize serious disruption in State services.
- ☒ It is necessary to insure the integrity of State records.

Specific justification for the emergency conditions listed above are as follows:
(Please attach relevant documentation)

The Owens/Robinson housing unit contains approximately 96 beds with severe roof degradation that has caused significant damage to the building and equipment. Recently the existing beds and furniture were replaced with new including upgrades to existing floors and wall finishes within the cells. However, the existing roof leaks continue to cause moisture damage. Antiquated and failed shingle have also promoted deck buckling and degradation requiring replacement in areas and all the buildings will require new gutters and downspouts. The damage has extended into life safety systems like the fire alarm system thereby disabling essential safety components and preventing the youth from returning to the unit. Failure to protect state assets and make timely make repairs or replace the roofs will continue damage to new and existing components that keep the units uninhabitable at significant expense to the State of Illinois.

I am Steven K. White, Manager, Capital Programs Unit
(Please give official title and office.)

We understand that CDB will coordinate with its CPO who will make all appropriate postings to the Procurement Bulletin and will file all necessary affidavits and updates with the Auditor General.